

Information Division (2137), 401 M Street, SW., Washington, DC 20460. and

Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

Dated: October 31, 1996.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 96-28546 Filed 11-5-96; 8:45 am]

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#### [FRL-5648-3]

### **Acid Rain Program: Notice of Draft Written Exemptions**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of draft written exemptions.

**SUMMARY:** The Environmental Protection Agency is issuing draft written exemptions from Acid Rain permitting and monitoring requirements to 2 new utility units at 2 plants. Under the Acid Rain Program regulations (40 CFR 72.7), utilities may petition EPA for an exemption from permitting and monitoring requirements for any new utility unit that serves one or more generators with a total nameplate capacity of 25 MW or less and burns only fuels with a sulfur content in excess of 0.05 percent or less by weight. Because the Agency does not anticipate receiving adverse comments, the exemptions are also being issued as a direct final action in the notice of written exemptions published elsewhere in today's Federal Register.

**DATES:** Comments on the exemptions proposed by this action must be received on or before December 6, 1996 or 30 days after publication of a similar notice in a local newspaper, whichever is later.

**ADDRESSES:** *Administrative Records.* The administrative record for the exemptions, except information protected as confidential, may be viewed during normal operating hours at EPA Region 5, 77 West Jackson Blvd., Chicago, IL 60604.

*Comments.* Send comments to: David Kee, Director, Air and Radiation Division, EPA Region 5, 77 West Jackson Blvd., Chicago, IL 60604.

Submit comments in duplicate and identify the exemption to which the comments apply, the commenter's name, address, and telephone number, and the commenter's interest in the matter and affiliation, if any, to the

owners and operators of the unit covered by the exemption.

**FOR FURTHER INFORMATION CONTACT:** Contact Beth Valenziano, (312) 886-2703.

**SUPPLEMENTARY INFORMATION:** If no significant, adverse comments are timely received, no further activity is contemplated in relation to these draft written exemptions and the exemptions issued as a direct final action in the notice of written exemptions published elsewhere in today's Federal Register will automatically become final on the date specified in that notice. If significant, adverse comments are timely received on any exemption, that exemption in the notice of written exemptions will be withdrawn and all public comment received on that exemption based on the relevant exemption in this notice of draft written exemptions. Because the Agency will not institute a second comment period on this notice of draft written exemptions, any parties interested in commenting should do so during this comment period.

For further information and a detailed description of the exemptions, see the information provided in the notice of written exemptions elsewhere in today's Federal Register.

Dated: October 31, 1996.

Brian J. McLean,

Director, Acid Rain Division, Office of Atmospheric Programs, Office of Air and Radiation.

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#### [FRL-5648-2]

### **Acid Rain Program: Notice of Written Exemptions**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of written exemptions.

**SUMMARY:** The Environmental Protection Agency is issuing, as a direct final action, written exemptions from the Acid Rain permitting and monitoring requirements to 2 utility units at 2 plants in accordance with the Acid Rain Program regulations (40 CFR part 72). Because the Agency does not anticipate receiving adverse comments, the exemptions are being issued as a direct final action.

**DATES:** Each of the exemptions issued in this direct final action will be final on December 16, 1996, or 40 days after publication of a similar notice in a local newspaper, whichever is later, unless significant, adverse comments are received by December 6, 1996 or 30

days after publication of a similar notice in a local newspaper, whichever is later. If significant, adverse comments are timely received on any exemption in this direct final action, that exemption will be withdrawn through a notice in the Federal Register.

**ADDRESSES:** *Administrative Records.*

The administrative record for the exemptions, except information protected as confidential, may be viewed during normal operating hours at EPA Region 5, 77 West Jackson Blvd., Chicago, IL 60604.

*Comments.* Send comments to David Kee, Director, Air and Radiation Division, EPA Region 5, (address above).

Submit comments in duplicate and identify the exemption to which the comments apply, the commenter's name, address, and telephone number, and the commenter's interest in the matter and affiliation, if any, to the owners and operators of the unit covered by the exemption.

**FOR FURTHER INFORMATION CONTACT:** Contact Beth Valenziano, (312) 886-2703.

**SUPPLEMENTARY INFORMATION:** All public comment received on any exemption in this direct final action on which significant, adverse comments are timely received will be addressed in a subsequent issuance or denial of exemption based on the relevant draft exemption in the notice of draft written exemptions that is published elsewhere in today's Federal Register and that is identical to this direct final action.

Under the Acid Rain Program regulations (40 CFR 72.7), utilities may petition EPA for an exemption from permitting and monitoring requirements for any new utility unit that serves one or more generators with total nameplate capacity of 25 MW or less and burns only fuels with a sulfur content of 0.05 percent or less by weight. On the earlier of the date a unit exempted under 40 CFR 72.7 burns any fuel with a sulfur content in excess of 0.05 percent by weight or 24 months prior to the date the exempted unit first serves one or more generators with total nameplate capacity in excess of 25 MW, the unit shall no longer be exempted under 40 CFR 72.7 and shall be subject to all permitting and monitoring requirements of the Acid Rain Program.

EPA is issuing written exemptions to the following new units, effective from January 1, 1997 through December 31, 2001:

Beaver Island unit 8 in Michigan, owned and operated by Wolverine Power Supply Cooperative. The designated representative is Brian Warner.